

[REDACTED]

Attorney at Law

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

June 10, 2015

VIA E-MAIL

Josh Flynn-Brown, Esq.
Investigative Counsel
U.S. Senate Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510-6050

Re: Inquiry concerning Special Government Employees

Dear Mr. Flynn-Brown:

I write further to our telephone conversation yesterday regarding the Judiciary Committee's inquiry into the above-noted matter. I have now had the opportunity to discuss the matter with my client, and he would be willing to provide information requested by the Committee.

As you may know, earlier this year my client resolved certain matters regarding his tenure with the [REDACTED]. That resolution, reached with the assistance of the [REDACTED], includes certain confidentiality conditions. My client intends to adhere to those conditions, which allow my client to respond to questions regarding the circumstances of his employment, the settlement agreement and the circumstances leading to that agreement, upon inquiry by any committee or Member of Congress. To the extent that your inquiry may involve law enforcement investigative matters, the settlement agreement requires that there be a written request from the inquiring Congressional committee or member.

Accordingly, I ask that the Committee provide a written request seeking a meeting or interview.

Best regards,

[REDACTED]
[REDACTED], Counsel

[REDACTED]

VIA E-MAIL

Josh Flynn-Brown, Esq.

June 10, 2015

Page 2

bcc: [REDACTED]

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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6170

For more information, please contact:
Mr. Josh Flynn-Brown, (202) 224-5225

June 15, 2015

VIA ELECTRONIC TRANSMISSION

Mr. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr. [REDACTED]:

Last week you talked with one of my Senate Judiciary Committee staffers about making your client, who is a former employee [REDACTED], available for a staff interview. According to a letter that you provided, your client is willing to meet with my staff upon receiving this written request.

Please contact Josh Flynn-Brown of my Committee staff at (202) 224-5225 as soon as possible to arrange for a mutually agreeable time. Thank you for your cooperation with the Committee's inquiry and for your prompt attention to this request.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

From: Flynn-Brown, Josh (Judiciary-Rep)
To: [REDACTED]
Subject: RE: [REDACTED]
Date: Friday, June 19, 2015 10:21:28 AM
Attachments: [image003.png](#)

Let me know what days work next week. I've reached out to Rachel.

From: [REDACTED]
Sent: Friday, June 19, 2015 6:05 AM
To: Flynn-Brown, Josh (Judiciary-Rep)
Subject: RE: [REDACTED]

Understood. Suggest we talk today about scheduling, since it seems Monday is slipping away. I am hopeful that perhaps Senate/House can do a joint meeting with us – I am very much trying to preserve my clients resources.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Flynn-Brown, Josh (Judiciary-Rep) [REDACTED]
Sent: Thursday, June 18, 2015 5:19 PM
To: [REDACTED]
Subject: RE: [REDACTED]

No, we didn't. Was waiting for you to get back with us, sorry for the confusion. What days work at this point?

From: [REDACTED]
Sent: Thursday, June 18, 2015 4:23 PM
To: Flynn-Brown, Josh (Judiciary-Rep)
Subject: [REDACTED]

Mr. Flynn-Brown:

I do not think we confirmed the Monday meeting, and I will need to make some scheduling decisions. In addition, I was contacted by House Oversight (Rachel Weaver, Dep Staff Dir (R)). My response to her was the same as to you, and I told her we have been contacted by you. I asked, if possible, that interviews be coordinated so as to avoid duplication/additional

legal fees.

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

From: [Flynn-Brown, Josh \(Judiciary-Rep\)](#)
To: ["Weaver, Rachel"](#)
Cc: [Carr, Machalagh](#)
Subject: RE: SGEs
Date: Tuesday, July 14, 2015 3:39:02 PM

Hi Rachel – we informed our Dem colleagues.

From: Weaver, Rachel [REDACTED]
Sent: Tuesday, July 14, 2015 9:59 AM
To: Flynn-Brown, Josh (Judiciary-Rep)
Cc: Carr, Machalagh
Subject: RE: SGEs

Josh – checking in on if you plan to have minority in attendance. Also adding Machalagh Carr, our Director of Oversight and Investigations who will be attending the interview.

From: Flynn-Brown, Josh (Judiciary-Rep) [REDACTED]
Sent: Tuesday, July 07, 2015 1:28 PM
To: Weaver, Rachel
Subject: RE: SGEs

Will do

From: Weaver, Rachel [REDACTED]
Sent: Tuesday, July 07, 2015 1:26 PM
To: Flynn-Brown, Josh (Judiciary-Rep)
Subject: RE: SGEs

Please let me know what you plan to do with your Minority, once you have figured it out.

Thanks,
Rachel

From: Flynn-Brown, Josh (Judiciary-Rep) [REDACTED]
Sent: Monday, June 29, 2015 3:31 PM
To: Weaver, Rachel
Cc: Dockham, Andrew
Subject: RE: SGEs

Well, [REDACTED] lawyer just notified us that his client will be out of the area until July 20. Let's touch base Thurs to discuss future steps.

From: Weaver, Rachel [REDACTED]
Sent: Monday, June 29, 2015 3:28 PM
To: Flynn-Brown, Josh (Judiciary-Rep)

Cc: Dockham, Andrew

Subject: Re: SGEs

July 13 at 3 works for me but I will need to confirm with my colleague, cc' here, before committing.

I am available to discuss the rest when I return to the office on Thursday. Is there a time that works best for you?

Thanks,
Rachel

Sent from my iPhone

On Jun 29, 2015, at 3:20 PM, Flynn-Brown, Josh (Judiciary-Rep) [REDACTED]

[REDACTED] wrote:

Ok, thanks. We set the interview for July 13 at 3 (in Dirksen). We want to get moving on this. Also trying to figure out what particular knowledge [REDACTED] has to launch questions from. Are you aware of news reports/govt reports that can be reviewed regarding him?

From: Weaver, Rachel [REDACTED]

Sent: Monday, June 29, 2015 3:18 PM

To: Flynn-Brown, Josh (Judiciary-Rep)

Subject: Re: SGEs

I am out of the office until my Thursday but my number is [REDACTED]

Sent from my iPhone

On Jun 29, 2015, at 2:42 PM, Flynn-Brown, Josh (Judiciary-Rep) [REDACTED]

[REDACTED] wrote:

What's your direct?

From: Weaver, Rachel [REDACTED]

Sent: Friday, June 19, 2015 10:50 AM

To: Flynn-Brown, Josh (Judiciary-Rep)

Subject: Re: SGEs

Hi Josh - are you thinking of an informal interview or transcribed?

Sent from my iPhone

On Jun 19, 2015, at 10:21 AM, Flynn-Brown, Josh (Judiciary-Rep)

[REDACTED] wrote:

Hi Rachel –

I've been in contact with [REDACTED], attorney for a [REDACTED]
[REDACTED] with particular knowledge regarding
SGEs. [REDACTED] informed me that you are interested in
interviewing his client and noted he'd like to do a joint
House/Senate interview. Would you like to do a joint
interview?

Very Respectfully,

Josh Flynn-Brown
Investigative Counsel
Chairman Charles E. Grassley
U.S. Senate Committee on the Judiciary
(202) 224-5225

From: Flynn-Brown, Josh (Judiciary-Rep)
To: Betourney, Chanda (Judiciary-Dem); Foster, Jason (Judiciary-Rep)
Subject: Re: [REDACTED]
Date: Monday, July 20, 2015 1:26:15 PM

Thank you

From: Betourney, Chanda (Judiciary-Dem)
Sent: Monday, July 20, 2015 11:36 AM
To: Flynn-Brown, Josh (Judiciary-Rep); Foster, Jason (Judiciary-Rep)
Subject: RE: [REDACTED]

I just heard from Dem staff on HOCR and they will be sending two people as well. Not sure if they were included in your final count of those attending from the House side, so thought I would flag.

From: Flynn-Brown, Josh (Judiciary-Rep)
Sent: Friday, July 17, 2015 10:36 AM
To: Betourney, Chanda (Judiciary-Dem); Foster, Jason (Judiciary-Rep)
Subject: RE: [REDACTED]

I believe that our house counterparts will be attending as well.

From: Betourney, Chanda (Judiciary-Dem)
Sent: Friday, July 17, 2015 10:11 AM
To: Flynn-Brown, Josh (Judiciary-Rep); Foster, Jason (Judiciary-Rep)
Subject: [REDACTED]

Josh – just following up, we will have three people attending. And to confirm, will it just be Senator Grassley and Leahy staff, or are any other offices joining?

From: Betourney, Chanda (Judiciary-Dem)
Sent: Tuesday, July 14, 2015 3:39 PM
To: Flynn-Brown, Josh (Judiciary-Rep); Foster, Jason (Judiciary-Rep)
Subject: RE: [REDACTED]

Thanks. I think it will just be two of us, but will confirm and get back to you. And it will just be Grassley staff as well, correct? Or are any other offices joining?

From: Flynn-Brown, Josh (Judiciary-Rep)
Sent: Tuesday, July 14, 2015 3:37 PM
To: Betourney, Chanda (Judiciary-Dem); Foster, Jason (Judiciary-Rep)
Subject: RE: [REDACTED]

Thanks, Chanda. We'll be meeting in SD 234. Can you let me know how many people will attend on your side?

From: Betourney, Chanda (Judiciary-Dem)
Sent: Tuesday, July 14, 2015 2:08 PM
To: Foster, Jason (Judiciary-Rep)
Cc: Flynn-Brown, Josh (Judiciary-Rep)
Subject: RE: [REDACTED]

I just followed up with [REDACTED] about speaking with his client, [REDACTED]. He, again, expressed his desire to have the interview of [REDACTED] conducted on a bipartisan basis, which also makes sense to me. I understand you have set a time to talk with him at 2 pm on Tuesday the 21st, and I am available to join at that time. Does that work for you, or do we need to discuss further? Happy to chat at any time, [REDACTED].

From: Foster, Jason (Judiciary-Rep)
Sent: Monday, June 29, 2015 3:06 PM
To: Betourney, Chanda (Judiciary-Dem)
Cc: Flynn-Brown, Josh (Judiciary-Rep)
Subject: RE: [REDACTED]

Adding Josh, who has had more interaction with [REDACTED] for us than I have. He hasn't told me that his client's preference is to have you there. It won't happen this week anyway, given that he just wrote to [REDACTED] again this morning and I'm out next week.

From: Betourney, Chanda (Judiciary-Dem)
Sent: Monday, June 29, 2015 2:18 PM
To: Foster, Jason (Judiciary-Rep)
Subject: RE: [REDACTED]

Jason – thanks for this background information. We have been in touch with [REDACTED] and have requested that we speak with his client as well. For efficiency, equity, and out of respect for [REDACTED]'s time, I think it makes most sense for us to do this together, wouldn't you agree? That is also [REDACTED] preference. Happy to discuss further if you like. [REDACTED]. I am here tomorrow and Wednesday morning, but then out for vacation the rest of the week.

Thanks, Chanda

From: Foster, Jason (Judiciary-Rep)
Sent: Wednesday, June 24, 2015 9:39 AM
To: Betourney, Chanda (Judiciary-Dem)
Subject: RE: [REDACTED]

See attached for background. The request to speak to [REDACTED] is very preliminary. We received a tip that he might have information and be willing to talk to us about the use of the SGE designation, so we asked to speak to him. His attorney indicated there was some agreement he had signed that obligated him to obtain a written request and inform the agency of any inquiries from Congress. Odd, and a bit concerning.

So we provided the written request. We're seeking a copy of the agreement and are trying to

understand the context. We contemplated an informal discussion with him just to try to ascertain the scope of what information he might have and be willing and able to share. But as I said, very preliminary information gathering at this point.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
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